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U.S. House of Representatives

Committee on Resources

Washington, DC 20515

April 30, 1996

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The Honorable Hazel R. O'Leary
 Secretary of Energy
 Dept. of Energy
 1000 Independence Avenue SW.
 Washington, D.C. 20585

Dear Madam Secretary:

Our committee has approved The Rongelap Rehabilitation and Community Resettlement Act, in H.R. 1332, to provide for the rehabilitation and resettlement of Rongelap Atoll in the Republic of the Marshall Islands consistent with the federally funded resettlement plan submitted to Congress on March 15, 1995. One of the plan's preliminary radiological mitigation recommendations includes the removal of radioactive matter in order to permit the safe return of the people of Rongelap to their home islands. Similar action is required for other atolls also contaminated due to U.S. nuclear testing. However, in the process of making the islands safe for habitation, precise estimates need to be obtained of the volumes of radio active materials requiring disposal.

It is with this and other considerations in mind that we have reviewed a proposal of the Marshall Islands to conduct a *feasibility study* for the disposal of low-level nuclear waste on an uninhabited, geologically stable, and geographically isolated island in that country. We are aware of the fact that this follows a proposal for the disposal of high-level nuclear materials, regarding which you expressed a number of concerns and the Administration established a policy of neutral "non-support". Having given careful thought to the merits of a feasibility study for the disposal of low-level radioactive waste and the need to find solutions enabling actual and safe resettlement of displaced Marshallese communities, we urge the Administration to adopt a favorable policy toward that proposal.

We hope you would agree that the United States and the Department of Energy have a special responsibility toward the Marshall Islands as a consequence of the Nuclear Testing Program conducted during the period the United States was the administering authority for the Trust Territory of the Pacific Islands, established by the United Nations Security Council. Despite financial and technical assistance provided by the Department and other federal agencies, there are islands that remain contaminated by radioactive waste and people who continue to suffer from the effects of the numerous nuclear weapons detonated in the course of our testing program. We understand, moreover, that formerly classified documents released by you in recent months reveal wider contamination and more serious health effects than had previously been disclosed.

We hope you will take into account the fact that the Marshall Islands is a young, but strong, democracy, and a close friend of the United States. With the active cooperation of the Marshall Islands Government, we maintain very extensive missile testing facilities at Kwajalein Atoll that are vital to our national security. We are informed that the Marshall Islands has recently agreed to the establishment of an additional missile launch site to accommodate the requirements of our ballistic missile defense testing program, and another such site is under consideration. This is indicative of the commitment of the Marshall Islands to continued cooperation in our bilateral relationship.

On such critically important international issues as the permanent, unconditional extension of the Nuclear Non-Proliferation Treaty, the Marshall Islands, at our request, has provided strong support for our national policies. We note that, as stated in the report of the recently concluded NPT conference, the international community "acknowledges the existence of a special responsibility towards the people of the former United Nations Trust Territories who have been adversely affected as a result of nuclear weapons tests conducted during the period of the Trusteeship."

In requesting that the Administration support the proposed *feasibility study*, we wish to be very clear. We are not proposing that the Administration commit funds to the study, nor even provide technical assistance for its conduct. Rather, we are simply requesting a policy of support in principle. We emphasize that the issue is not one of whether to support the establishment of a nuclear waste disposal facility; the feasibility of such a project is precisely what the study proposes to determine in a preliminary way. By the same token, we feel strongly that the factors we have outlined in this letter compel the conclusion that the proposal of a study merits a positive response, not neutral non-support, from the United States.

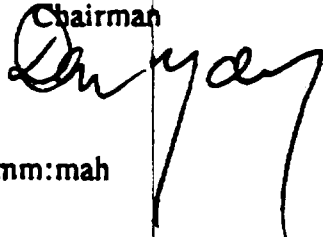
As a political matter, it is questionable whether the proposed study could be expected to proceed in the absence of a policy of support on the part of our government. If we expect the Marshallese who were displaced by the testing to actually return to their home atolls utilizing federal trust funds established primarily for those purposes, we should do all we can to facilitate radiological rehabilitation of the islands and resettlement through sound nuclear disposal practices. In that light, a policy of non-support for the proposed study could not be reconciled with our special responsibility towards the people of the former Trust Territory and our desire to see them reestablish and inhabit safe and functional communities.

Sincerely,



ELTON GALLEGLY
Chairman
Subcommittee on Native American
and Insular Affairs

DON YOUNG
Chairman



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Tolson